

**Listing of the Claims:**

1-4 (withdrawn)

5. (currently amended) An isolated nucleic acid molecule comprising a nucleic acid sequence encoding a polypeptide comprising an amino acid sequence selected from the group consisting of:

- (a) a mature form of an amino acid sequence of SEQ ID NO: 48 selected from the group consisting of SEQ ID NO:2 $n$ , wherein  $n$  is any integer 1-107;
- (b) ~~a variant of a mature form of an amino acid sequence selected from the group consisting of SEQ ID NO:2 $n$ , wherein  $n$  is any integer 1-107, wherein one or more amino acid residues in said variant differs from the amino acid sequence of said mature form, provided that said variant differs in no more than 15% of the amino acid residues from the amino acid sequence of said mature form;~~
- (e) (b) an amino acid sequence of SEQ ID NO: 48 selected from the group consisting of SEQ ID NO:2 $n$ , wherein  $n$  is any integer 1-107;
- (d) ~~a variant of an amino acid sequence selected from the group consisting SEQ ID NO:2 $n$ , wherein  $n$  is any integer 1-107, wherein one or more amino acid residues in said variant differs from the amino acid sequence of said mature form, provided that said variant differs in no more than 15% of amino acid residues from said amino acid sequence;~~
- (e) ~~a nucleic acid fragment encoding at least a portion of a polypeptide comprising an amino acid sequence chosen from the group consisting of SEQ ID NO:2 $n$ , wherein  $n$  is any integer 1-107, or a variant of said polypeptide, wherein one or more amino acid residues in said variant differs from the amino acid sequence of said mature form, provided that said variant differs in no more than 15% of amino acid residues from said amino acid sequence; and~~
- (f) (c) a nucleic acid molecule comprising the complement of (a), or (b), ~~(e)~~, ~~(d)~~ or ~~(e)~~.

6-7 (canceled)

8. (currently amended) The nucleic acid molecule of claim 5, wherein the nucleic acid molecule differs by a single nucleotide from a nucleic acid sequence of SEQ ID NO: 47 selected from the group consisting of SEQ ID NO:2 $n$ -1, wherein  $n$  is any integer 1-107.

9. (currently amended) The nucleic acid molecule of claim 5, wherein said nucleic acid molecule comprises a nucleotide sequence ~~selected from the group consisting of~~ SEQ ID NO: 47.:
- ~~(a) a nucleotide sequence selected from the group consisting of SEQ ID NO:2n-1, wherein n is any integer 1-107;~~
- ~~(b) a nucleotide sequence differing by one or more nucleotides from a nucleotide sequence selected from the group consisting of SEQ ID NO:2n-1, wherein n is any integer 1-107, provided that no more than 20% of the nucleotides differ from said nucleotide sequence;~~
- ~~(c) a nucleic acid fragment of (a); and~~
- ~~(d) a nucleic acid fragment of (b).~~
10. (currently amended) The nucleic acid molecule of claim 5, wherein said nucleic acid molecule hybridizes under stringent conditions to a nucleotide sequence of SEQ ID NO: 47 ~~chosen from the group consisting of~~ SEQ ID NO:2n-1, wherein n is any integer 1-107, or a complement of said nucleotide sequence.
11. (canceled)
12. (currently amended) A vector comprising the nucleic acid molecule of claim ~~11~~ 5.
13. (original) The vector of claim 12, further comprising a promoter operably-linked to said nucleic acid molecule.
14. (original) A cell comprising the vector of claim 12.
15. (withdrawn) An antibody that binds immunospecifically to the polypeptide of claim 1.
16. (withdrawn) The antibody of claim 15, wherein said antibody is a monoclonal antibody.
17. (withdrawn) The antibody of claim 15, wherein the antibody is a humanized antibody.
18. (withdrawn) A method for determining the presence or amount of the polypeptide of claim 1 in a sample, the method comprising:
- (a) providing the sample;

(b) contacting the sample with an antibody that binds immunospecifically to the polypeptide; and  
(c) determining the presence or amount of antibody bound to said polypeptide, thereby determining the presence or amount of polypeptide in said sample.

19. (withdrawn) A method for determining the presence or amount of the nucleic acid molecule of claim 5 in a sample, the method comprising:  
(a) providing the sample;  
(b) contacting the sample with a probe that binds to said nucleic acid molecule; and  
(c) determining the presence or amount of the probe bound to said nucleic acid molecule,

thereby determining the presence or amount of the nucleic acid molecule in said sample.

20. (withdrawn) The method of claim 19 wherein presence or amount of the nucleic acid molecule is used as a marker for cell or tissue type.

21. (withdrawn) The method of claim 20 wherein the cell or tissue type is cancerous.

22. (withdrawn) A method of identifying an agent that binds to a polypeptide of claim 1, the method comprising:  
(a) contacting said polypeptide with said agent; and  
(b) determining whether said agent binds to said polypeptide.

23. (withdrawn) The method of claim 22 wherein the agent is a cellular receptor or a downstream effector.

24. (withdrawn) A method for identifying an agent that modulates the expression or activity of the polypeptide of claim 1, the method comprising:  
(a) providing a cell expressing said polypeptide;  
(b) contacting the cell with said agent, and  
(c) determining whether the agent modulates expression or activity of said polypeptide,

whereby an alteration in expression or activity of said peptide indicates said agent modulates expression or activity of said polypeptide.

25. (withdrawn) A method for modulating the activity of the polypeptide of claim 1, the method comprising contacting a cell sample expressing the polypeptide of said claim with a compound that binds to said polypeptide in an amount sufficient to modulate the activity of the polypeptide.
26. (withdrawn) A method of treating or preventing a NOVX-associated disorder, said method comprising administering to a subject in which such treatment or prevention is desired the polypeptide of claim 1 in an amount sufficient to treat or prevent said NOVX-associated disorder in said subject.
27. (withdrawn) The method of claim 26 wherein the disorder is selected from the group consisting of cardiomyopathy and atherosclerosis.
28. (withdrawn) The method of claim 26 wherein the disorder is related to cell signal processing and metabolic pathway modulation.
29. (withdrawn) The method of claim 26, wherein said subject is a human.
30. (withdrawn) A method of treating or preventing a NOVX-associated disorder, said method comprising administering to a subject in which such treatment or prevention is desired the nucleic acid of claim 5 in an amount sufficient to treat or prevent said NOVX-associated disorder in said subject.
31. (withdrawn) The method of claim 30 wherein the disorder is selected from the group consisting of cardiomyopathy and atherosclerosis.
32. (withdrawn) The method of claim 30 wherein the disorder is related to cell signal processing and metabolic pathway modulation.
33. (withdrawn) The method of claim 30, wherein said subject is a human.
34. (withdrawn) A method of treating or preventing a NOVX-associated disorder, said method comprising administering to a subject in which such treatment or prevention is desired the antibody of claim 15 in an amount sufficient to treat or prevent said NOVX-associated disorder in said subject.

35. (withdrawn) The method of claim 34 wherein the disorder is diabetes.
36. (withdrawn) The method of claim 34 wherein the disorder is related to cell signal processing and metabolic pathway modulation.
37. (withdrawn) The method of claim 34, wherein the subject is a human.
38. (withdrawn) A pharmaceutical composition comprising the polypeptide of claim 1 and a pharmaceutically-acceptable carrier.
39. (original) A pharmaceutical composition comprising the nucleic acid molecule of claim 5 and a pharmaceutically-acceptable carrier.
40. (withdrawn) A pharmaceutical composition comprising the antibody of claim 15 and a pharmaceutically-acceptable carrier.
41. (withdrawn) A kit comprising in one or more containers, the pharmaceutical composition of claim 38.
42. (original) A kit comprising in one or more containers, the pharmaceutical composition of claim 39.
43. (withdrawn) A kit comprising in one or more containers, the pharmaceutical composition of claim 40.
44. (withdrawn) A method for determining the presence of or predisposition to a disease associated with altered levels of the polypeptide of claim 1 in a first mammalian subject, the method comprising:
  - (a) measuring the level of expression of the polypeptide in a sample from the first mammalian subject; and
  - (b) comparing the amount of said polypeptide in the sample of step (a) to the amount of the polypeptide present in a control sample from a second mammalian subject known not to have, or not to be predisposed to, said disease;

wherein an alteration in the expression level of the polypeptide in the first subject as compared to the control sample indicates the presence of or predisposition to said disease.

45. (withdrawn) The method of claim 44 wherein the predisposition is to a cancer.

46. (withdrawn) A method for determining the presence of or predisposition to a disease associated with altered levels of the nucleic acid molecule of claim 5 in a first mammalian subject, the method comprising:

(a) measuring the amount of the nucleic acid in a sample from the first mammalian subject; and

(b) comparing the amount of said nucleic acid in the sample of step (a) to the amount of the nucleic acid present in a control sample from a second mammalian subject known not to have or not be predisposed to, the disease;

wherein an alteration in the level of the nucleic acid in the first subject as compared to the control sample indicates the presence of or predisposition to the disease.

47. (withdrawn) The method of claim 46 wherein the predisposition is to a cancer.

48. (withdrawn) A method of treating a pathological state in a mammal, the method comprising administering to the mammal a polypeptide in an amount that is sufficient to alleviate the pathological state, wherein the polypeptide is a polypeptide having an amino acid sequence at least 95% identical to a polypeptide comprising an amino acid sequence of at least one of SEQ ID NO:2n, wherein  $n$  is any integer 1-107, or a biologically active fragment thereof.

49. (withdrawn) A method of treating a pathological state in a mammal, the method comprising administering to the mammal the antibody of claim 15 in an amount sufficient to alleviate the pathological state.